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VIA ECF

January 20, 2014

The Honorable Arthur D. Spatt
Federal District Court, EDNY
Alphonse M. D'Amato Federal Building
100 Federal Plaza
Central Islip, NY 11722-4454

Re: USA v. Justin Kaliebe
CR 13-0072 (ADS)

Your Honor:

I represent defendant Justin Kaliebe in the above matter.

As you are aware, on the last court conference date you set various deadlines for the completion of defendant's expert psychiatric report and the parties sentencing memoranda. Kindly accept this request to extend these deadlines for the following reasons.

Defense expert, Dr. Bardey, recently requested that I obtain the defendant's counseling and academic records from the three public school districts he attended in order to complete his evaluation of the defendant and report. He also needs to conduct a second evaluation of the defendant at the MDC.

Additionally, the defendant has recently requested to review the wiretap evidence involved in his investigation, that is the centerpiece of the Government's case against him. The parties have recently executed a Protective Order. I received the discovery last Friday. In an effort to streamline the review of this evidence, AUSA John Durham has directed me to certain portions of the recordings. I have made arrangements to meet with the defendant at the MDC to accommodate his request.

The defendant is in custody. He was 16 years old when this investigation commenced. Dr. Bardey has confirmed that he suffers from autism. The statutory maximum sentence that he faces is thirty years. His advisory guideline sentence range is 360 months to life. This adjournment request will not prejudice the Government in any way. The additional work that must be completed to prepare for the sentencing hearing is necessary to provide the defendant with effective representation and an appropriate defense. For these reasons, I request the following amended sentencing schedule:

Defense expert report due:	Original date: 1/22/14 Proposed date: 3/28/14
Defense Sentencing memo due:	Original date: 2/7/14 Proposed date: 4/11/14
Govt. Sentencing memo due:	Original date: 2/21/14 Proposed date: 4/25/14
Sentence date:	Original date: 2/28/14 Proposed date: 5/2/14

Thank you for your prompt attention to this matter. Please contact my office if you are in need of anything further to accommodate this request.

Very truly yours,



ANTHONY M. LA PINTA

AML:mm

cc: John Durham, Esq. (via ECF)